

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

In re: Charles A. Payton
Sarita A. Payton
Debtors.

) Case Number: 14-10935
) Chapter 13 Proceedings
) Judge Pat E. Morgenstern-Clarren

TRUSTEE'S MOTION TO AMEND ORDER CONFIRMING CHAPTER 13 PLAN

Now comes CRAIG SHOPNECK, the duly appointed and qualified Standing Chapter 13 Trustee ("Trustee") herein, and hereby moves this Honorable Court to amend the Order Confirming Chapter 13 Plan ("Confirmation Order") entered by this Court on May 15, 2014. In support of this motion, Trustee makes the following representations to the Court:

1. Debtors filed a voluntary petition for relief under Chapter 13 of Title 11, U.S.C. on February 20, 2014. Contemporaneously with the petition, the Debtors filed a proposed Chapter 13 Plan (the "Plan") pursuant to Section 1321 of the Bankruptcy Code.

2. Lee R. Kravitz ("Attorney Kravitz") is identified on the petition as counsel for Debtors. Pursuant to the Rights and Responsibilities of Chapter 13 Debtors and their Attorneys filed February 23, 2014 ("Docket No. 10"), Attorney Kravitz agreed to accept the sum of \$3,000.00 for legal services, of which \$23.00 was paid prior to the filing and \$2,977.00 is to be paid through the Plan.

3. On May 15, 2014, this Court entered the Confirmation Order. The Confirmation Order states:

The attorney for the Debtor is allowed a fee of \$3,000.00, of which \$400.00 has been paid. The balance of \$2,600.00 shall be paid by the Trustee from the monies received under the Plan pursuant to local rules and orders.

This statement was inadvertently entered. Pursuant to the description of fees indicated on Docket No. 10, the paragraph should reflect that the total amount of fees is \$3,000.00, of which \$23.00 has been paid and \$2,977.00 shall be paid through the Plan. Therefore, Trustee is moving to amend the Confirmation Order.

WHEREFORE your Trustee, being a proper party in interest, hereby moves this Honorable Court to grant this motion to amend the Confirmation Order for the aforementioned reasons cited.

Respectfully submitted,

/s/ Craig Shopneck

CRAIG SHOPNECK (#0009552)

Chapter 13 Trustee

200 Public Square, Suite 3860

Cleveland, OH 44114-2321

Phone (216) 621-4268 Fax (216) 621-4806

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CERTIFICATE OF SERVICE

I certify that on July 8, 2014 a true and correct copy of this Trustee's Motion to Amend Order Confirming Chapter 13 Plan was served:

Via the Court's Electronic Case Filing System on these entities and individuals who are listed on the Court's Electronic Mail Notice List:

Lee R. Kravitz, on behalf of Sarita A. & Charles A. Payton, Debtors, at
leekravitz@sbcglobal.net

And by regular U.S. mail, postage prepaid, on:

Sarita A. & Charles A. Payton, Debtors, at 336 E. 222nd Street, Euclid, OH 44123

/S/ Craig Shopneck

CRAIG SHOPNECK (#0009552)

Chapter 13 Trustee

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CS/kb

07/08/14